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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Timothy R. Ryan et al.

Examiner: William H. Matthews

Serial No.: 09/982,299

Group Art Unit: 3738

Filed: October 16, 2001

Docket No.: M190.137.101

**Due Date:** November 11, 2004

**Title:** ANNULOPLASTY BAND AND METHOD

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

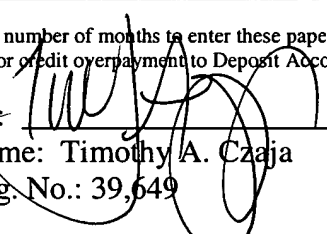
- ☒ Transmittal Sheet containing Certificate of Mailing (1 pg.).
- ☒ Amendment and Response (12 pgs.);
- ☒ Return Postcard.

If an additional fee is required due to changes to the claims, the fee has been calculated as follows:

CLAIMS AS AMENDED						
	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Present Extra	Rate	Fee
TOTAL CLAIMS	27	-	43	0	x 18.00 =	\$0.00
INDEPENDENT CLAIMS	6	-	6	0	x 88.00 =	\$0.00
[ ] MULTIPLE DEPENDENT CLAIMS PRESENTED						\$0.00
TOTAL						\$0.00

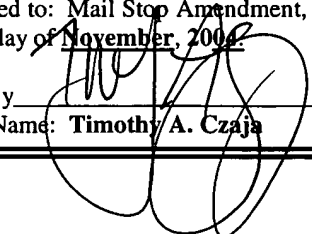
Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. At any time during the pendency of this application, please charge any additional fees or credit overpayment to Deposit Account No. 500471.

**Customer No. 025281**

By:   
Name: Timothy A. Czaja  
Reg. No.: 39,649

**CERTIFICATE UNDER 37 C.F.R. 1.8:**

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 10th day of November, 2004

By:   
Name: Timothy A. Czaja

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**AMENDMENT AND RESPONSE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment and Response is in reply to the Office Action mailed August 11, 2004.  
Please amend the above-identified patent application as follows: